

**THIS DOCUMENT WAS NOT WRITTEN FOR PUBLICATION  
AND IS NOT BINDING PRECEDENT OF THE**

#28

Filed by: Judge Jameson Lee  
Mail Stop INTERFERENCE  
Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Tel: 703-308-9797  
Fax: 703-305-0942

Paper No. 32

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Judge Jameson Lee)

GREG BENSON, GREGORY H. URICH,  
and CHRISTOPHER L. KNAUFT,

Junior Party,  
(Patent 5,845,281; Application 09/164,606 and 09/321,386)

v.

KARL L. GINTER, VICTOR H. SHEAR,  
FRANCES J. SPAHN and DAVID M. VAN WIE,

Senior Party  
(Application 09/411,205)

Patent Interference No. 105,142

**Order for Limited Lifting of Ex Parte Examination**

It is

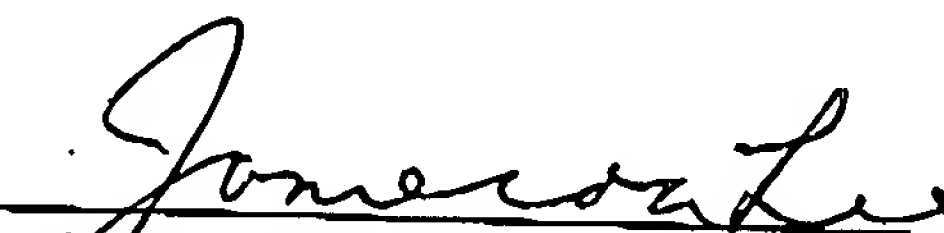
**ORDERED** that automatic suspension of ex parte examination of Benson's applications

Interference No. 105,142  
Benson v. Ginter

09/321,386 and 09/164,606 are herein lifted temporarily for two Rule 607 submissions and a Supplemental Rule 607 submission filed by Benson at the board in connection with those applications to be entered into the file of application 09/321,386 and considered by the examiner for declaration of a new interference involving those applications; and

**FURTHER ORDERED** that the lifting of the suspension stays in effect until the examiner sends out a notice stating that no interference based on those Rule 607 submissions will be declared or until an interference is declared based on those Rule 607 submissions and the supplement.

Date: 12/1/03  
Arlington, VA

  
Administrative Patent Judge  
Jameson Lee

Interference No. 105,142  
Benson v. Ginter

By Facsimile:

Attorney for junior party Benson:

703-413-2220 (Fax)  
Charles L. Gholz, Esq.  
OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
1940 Duke Street  
Alexandria, Virginia 22314

Attorney for senior party Ginter:

650-849-6666 (Fax)  
Linda J. Thayer, Esq.  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
700 Hansen Way  
Palo Alto, California 94304